"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001."

पंजीयन क्रमांक
"छत्तीसगढ़/दुर्ग/09/2013-2015."

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 205] रायपुर, मंगलवार, दिनांक 5 जून 2018 — ज्येष्ठ 15, शक 1940

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नया रायपुर

नया रायपुर, दिनांक 5 जून 2018

क्रमांक 5662/डी. 92/21-अ/प्रा./छ. ग./18.— भारत सरकार, विधि और न्याय मंत्रालय, विधायी विभाग के पत्र क्रमांक 2(9)/18-Leg. I/ नई दिल्ली, दिनांक 18-05-2018 के अनुसरण में दि होमियोपेथी सेन्ट्रल काउन्सिल (अमेंडमेन्ट) ऑर्डिनेन्स, 2018 (क्रमांक 4 सन् 2018) एतद्द्वारा सर्वसाधारण की जानकारी हेतु पुन: प्रकाशित की जाती है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
मनीष कुमार ठाकुर, अतिरिक्त सचिव.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 18th May, 2018/Vaisakha 28, 1940 (Saka)

THE HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT) ORDINANCE, 2018

No. 4 OF 2018

Promulgated by the President in the Sixty-ninth Year of the Republic of India.

An Ordinance further to amend the Homoeopathy Central Council Act, 1973.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :-

Short title and commencement.

1. (1) This Ordinance may be called the Homoeopathy Central Council (Amendment) Ordinance, 2018.

(2) It shall come into force at once.

Insertion of new sections 3A, 3B and 3C.

2. In the Homoeopathy Central Council Act, 1973, (herein after referred to as the principal Act), after section 3, the following sections shall be inserted, namely:—

59 of 1973.

Power of Central Government to supersede the Central Council and to constitute a Board of Governors.

"3A. (*1*) On and from the date of commencement of the Homoeopathy Central Council (Amendment) Ordinance, 2018, the Central Council shall stand superseded and the President, Vice-President and other members of the Central Council shall vacate their offices and shall have no claim for any compensation, whatsoever.

(*2*) The Central Council shall be reconstituted in accordance with the provisions of section 3 within a period of one year from the date of supersession of the Central Council under sub-section (*1*).

(*3*) Upon the supersession of the Central Council under sub-section (*1*) and until a new Council is constituted in accordance with section 3, the Board of Governors constituted under sub-section (*4*) shall exercise the powers and perform the functions of the Central Council under this Act.

(*4*) The Central Government shall, by notification in the Official Gazette, constitute the Board of Governors which shall consist of not more than seven persons as its members, who shall be persons of eminence and of unimpeachable integrity in the fields of Homoeopathy and Homoeopathy education, and eminent administrators, and who may be either nominated members or members, *ex officio* to be appointed by the Central Government, one of whom shall be selected by the Central Government as the Chairperson of the Board of Governors.

(*5*) The Chairperson and the other members, other than the members, *ex officio,* shall be entitled to such sitting fee and travelling and other allowances as may be determined by the Central Government.

(*6*) The Board of Governors shall meet at such time and such places and shall observe such rules of procedure in regard to the transaction of business at its meetings as is applicable to the Central Council.

(*7*) Two-third of the members of the Board of Governors shall constitute the quorum of its meetings.

(*8*) No act or proceedings of the Board of Governors shall be invalid merely by reason of—

(*a*) any vacancy in, or any defect in the constitution of, the Board of Governors'; or

(*b*) any irregularity in the procedure of the Board of Governors not affecting the merits of the case.

(*9*) A member having any financial or other interest in any matter coming before the Board of Governors for decision, shall disclose his interest in the matter before he may, if allowed by the Board of Governors, participate in such proceedings.

(*10*) The Chairperson and other members of the Board of Governors shall hold office during the pleasure of the Central Government.

Certain modifications of the Act.

3B. During the period when the Central Council stands superseded, —

(*a*) the provisions of the Act shall be construed as if for the words "Central Council", the words "Board of Governors" were substituted;

(*b*) the Board of Governors shall exercise the powers and discharge the functions of the Central Council under this Act and for this purpose, the provisions of this Act shall have effect subject to the modification that references therein to the Central Council shall be construed as references to the Board of Governors.

Power of Central Government to give directions.

3C. (*1*) Without prejudice to the provisions of this Act, the Board of Governors or the Central Council after its reconstitution shall, in exercise of its powers and in the performance of its functions under this Act, be bound by such directions on question of policy, other than those relating to technical and administrative matters, as the Central Government may give in writing to it from time to time:

Provided that the Board of Governors or the Central Council, after its reconstitution shall, as far as practicable, be given an opportunity to express its view before any direction is given under this sub-section.

(*2*) The decision of the Central Government whether a question is a matter of policy or not shall be final.".

Insertion of new section 12C.

3. After section 12B of the principal Act, the following section shall be inserted, namely:–

Time for seeking permission for certain existing medical colleges.

"12C. *(1)* If any person has established a Homoeopathy Medical College or any Homoeopathy Medical College has opened a new or higher course of study or training or increased the admission capacity on or before the date of commencement of the Homoeopathy Central Council (Amendment) Ordinance, 2018, such person or Homoeopathy Medical College, as the case may be, shall seek, within a period of one year from the said commencement, permission of the Central Government, in accordance with the provisions specified in the regulations made by the Central Council.

(2) If any person or Homoeopathy Medical College, as the case may be, fails to seek permission under sub-section (1), the provisions of section 12B shall apply, as far as may be, as if the Central Government has been refused.".

RAM NATH KOVIND,
President.

DR. REETA VASISHTA,
Additional Secretary to the Govt. of India.

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ द्वारा शासकीय मुद्रणालय, रायपुर से मुद्रित तथा प्रकाशित - 2018.